

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

WP(C).No. 30503 of 2007(F)

PETITIONER:

**V.N.JANARDHANAN EMBRANDIRI
AGED 60 YEARS, S/O NARAYANAN
VELIYATH MADOM
EDAKUNNY, OLLUR P.O.
THRISSUR**

**BY ADV. SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA**

RESPONDENTS:

- 1. KERALA STATE BEVERAGES CORPORATION
REP. BY MANAGING DIRECTOR
THIRUVANANTHAPURAM**
- 2. CIRCLE INSPECTOR OF EXCISE
THRISSUR**
- 3. ASSISTANT EXCISE COMMISSIONER
THRISSUR**

**BY ADV.SRI.MILLU DANDAPANI, SC FOR R1
GOVT. PLEADER SMT. ANU SIVARAMAN FOR R2, R3.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K.M.JOSEPH, J.

W.P.(c).No.30503 OF 2007

Dated this the 15th day of October , 2007

JUDGMENT

Petitioner has approached this court seeking a writ of prohibition restraining the third respondent from granting any licence to the first respondent to run any liquor shop within a distance of 200metres from the entrance to the eastern way leading to Edakkunny Sree Durga Bhagavathy Kshethram. A further direction is sought to the third respondent to dispose of Ext.P1 before taking any decision on grant of licence to the first respondent for running liquor shop. Case of the petitioner in brief is as follows:

Petitioner is the President of Edakkunny Sree Durga Bhagavathy Kshethra Kshema Samithy, Edakkunny, Ollur. It is stated that a liquor shop is proposed to be housed in a cite within 200 metres from the entrance to the eastern way leading to Edakkunny Sree Durga Bhagavathy Kshethram.

2. I heard learned counsel for the petitioner, learned counsel for the respondent and the learned Government Pleader also.

I feel that a decision should be taken on Ext.P1. Accordingly, the writ petition is disposed of directing the third respondent to consider and take a decision on Ext.P1 in accordance with law after affording an opportunity of being heard to the petitioner and the representative of the first respondent and communicate the same to the petitioner within a period of three weeks from the date of receipt of a copy of this judgment. Till such time as a decision is taken and communicated, licence shall not be issued to the first respondent which is the subject matter of Ext.P1 complaint. In order to facilitate an early decision, the petitioner or his representative and the representative of the first respondent shall be personally present before the third respondent on 22/10/2007 at 11:00 a.m. and the third respondent shall proceed to dispose of the matter within the time limit already indicated.

(K.M.JOSEPH, JUDGE)

SV.

